

SARETSKY KATZ DRANOFF & GLASS, L.L.P.

475 PARK AVENUE SOUTH
NEW YORK, NEW YORK 10016

TELEPHONE (212) 973-9797
FACSIMILE (212) 973-0939

ALLEN L. SHERIDAN
asheridan@skdglaw.com

ROCKLAND COUNTY OFFICE
450 PIERMONT AVENUE
PIERMONT, NEW YORK 10968

August 14, 2008

By Hand Delivery and By ECF Filing

Honorable Richard M. Berman
United States District Court
Southern District of New York
40 Centre Street
New York, New York 10007

Re: *Seneca Insurance Company v. Illinois*
National Insurance Company
Docket No. 07-cv-11272 (RMB)

Your Honor:

We represent the plaintiff, Seneca Insurance Company ("Seneca") in this matter. We write to request an extension of each of the deadlines set forth in the briefing schedule for summary judgment motions so-ordered by the Court on July 14, 2008.

The parties originally agreed to deadlines for a briefing schedule on summary judgment motions at the May 20, 2008 conference. As a result of that conference plaintiff's motion for summary judgment was due on July 21, 2008, defendant's response was due September 5, 2008, plaintiff's reply was due September 18, 2008 and defendant's sur-reply was due September 25, 2008. On July 14, 2008, the Court granted the parties' joint request to extend the foregoing deadlines. We are now requesting a further extension.

More specifically, we request that the due date for the plaintiff's motion be changed from August 21, 2008 to September 26, 2008, that the due date for the defendant's response be changed from October 6, 2008 to November 14, 2008, that the due date for the plaintiff's reply be changed from October 20, 2008 to December 3, 2008, and that the due date for the defendant's sur-reply be changed from October 27, 2008 until December 10, 2008.

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As discussed above, there has been one prior request for an adjournment or extension that was granted by the Court on July 14, 2008, and thus no previous request has been denied. In addition, counsel for the defendant, Illinois National Insurance Company has consented to and joins in this request.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Allen L. Sheridan", with a long horizontal flourish extending to the right.

Allen L. Sheridan (ALS 0960)

ALS:eb

cc: **By Facsimile**

Law Offices of Green & Lavelle by Erika C. Aljens, Esq (by facsimile)

So Ordered: _____
U.S.D.J.

Date: _____